

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

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| CHARLESETTA ROBINSON, et al., | : | |
| Plaintiffs, | : | Case No. 3:04cv00431 |
| vs. | : | District Judge Thomas M. Rose |
| | | Magistrate Judge Sharon L. Ovington |
| ARISTA RECORDS, INC., et al., | : | |
| Defendants. | : | |

ORDER

The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #21), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations. The Court therefore **ORDERS** that:

1. The Report and Recommendations filed on August 5, 2005 (Doc. #21) is ADOPTED in full;
2. Defendants' Motion to Dismiss (Doc. #12) is GRANTED;
3. Plaintiffs' Complaint is DISMISSED without prejudice; and
4. The case is terminated on the docket of this Court.

August 22, 2005

s/**THOMAS M. ROSE**

Thomas M. Rose
United States District Judge